

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

HODELL-NATCO, INC.)	CASE NO. 1:08CV2755
)	
Plaintiff,)	JUDGE WELLS
)	MAGISTRATE WHITE
vs.)	
)	
SAP AMERICA, INC., et al.,)	<u>AMENDED REPORT OF PARTIES'</u>
)	<u>PLANNING MEETING UNDER</u>
Defendants.)	<u>FED.R.CIV.P.26(f) AND LR 17.3(b)</u>
)	
)	
)	

1. Pursuant to Fed. R. Civ. P. 26(f) and L.R. 16.3(b), a meeting was held on November 22, 2010, and was attended by: P. Wesley Lambert, counsel for Plaintiff; Roy A. Hulme, counsel for Defendant(s) LSI-Lowery Systems, Inc.; Gregory J. Star, counsel for Defendant, SAP America, Inc. and SAP AG.

2. The parties:

 X have exchanged the pre-discovery disclosures required by Rule 26(a)(1) and the Court's prior order; or

 will exchange such disclosures

 have not been required to make initial disclosures

3. The parties recommend the following track:

 Expedited X Standard Complex

 Administrative Mass Tort

4. This case:

 X is suitable for electronic filing

 is not suitable for electronic filing

5. This case is suitable for one or more of the following Alternative Dispute Resolution (“ADR”) mechanisms:

_____ Early Neutral Evaluation

_____ Mediation

_____ Summary Jury Trial

_____ Summary Bench Trial

_____ Arbitration

 x Case not suitable for ADR
at **this time**

6. The parties:

_____ do consent to the jurisdiction of the United States
Magistrate Judge pursuant to 28 U.S.C. § 636 (c).

 X do not consent to the jurisdiction of the United States
Magistrate Judge pursuant to 28 U.S.C. § 636 (c).

7. Recommended Discovery Plan:

- (a) Describe the subjects on which discovery is to be sought and the nature and extent of discovery.

Estimate of 10 to 12 fact witness depositions and three to five expert witness depositions. Exchange of Interrogatories, documents and electronically stored information.

- (b) Recommended Discovery cut-off date:

Fact discovery:	<u>June 17, 2011</u>
Plaintiff expert report due:	<u>August 19, 2011</u>
Defendant expert reports due:	<u>September 30, 2011</u>
Plaintiff rebuttal expert reports due:	<u>October 28, 2011</u>
Expert discovery to be complete:	<u>November 30, 2011</u>

8. The parties:

 X expect to use expert witnesses in this case

_____ do not expect to use expert witnesses in this case

9. Recommended dispositive motion date: August 12, 2011

10. Recommended cut-off date for filing any motion to amend the pleadings and/or to add additional parties: March 31, 2011

11. Other matters for the attention of the Court:

1. Pending Motion to Dismiss
2. Parties have submitted a Stipulated Protective Order as to certain confidential and trade secret information.

Signatures:

/s/ P. Wesley Lambert
Attorney for Plaintiff(s):

Hodell-Natco Industries, Inc.

/s/ Roy A. Hulme
Attorney for Defendant(s):

LSI-Lowery Systems, Inc.
The IBIS Group, Inc.

/s/ Gregory J. Star
Attorney for Defendant(s)

SAP America, Inc.
SAP AG

895481_1